

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GUARDIAN INDUSTRIES CORP.,

Plaintiff,

v.

**DELL, INC.; GATEWAY, INC.;
HEWLETT-PACKARD COMPANY; ACER INC.;
ACER AMERICA CORPORATION; TATUNG COMPANY;
TATUNG COMPANY OF AMERICA, INC.;
COMPAL ELECTRONICS, INC.; JEAN CO., LTD.;
MAG TECHNOLOGY COMPANY, LTD.;
MAG TECHNOLOGY USA, INC.;
PROVIEW INTERNATIONAL HOLDINGS, LTD.;
PROVIEW TECHNOLOGY, INC.; and
PROVIEW ELECTRONICS COMPANY, LTD.,**

Defendants.

C.A. No.: 05-27-SLR

Jury Trial Demanded

STIPULATED DISMISSAL

WHEREAS, plaintiff, Guardian Industries Corp., alleged that defendants Tatung Company and Tatung Company of America, Inc. have infringed United States Patents Nos. 5,570,214, 5,694,187, 6,226,065 and 6,229,588;

WHEREAS, Tatung Company and Tatung Company of America, Inc. have provided a Written Confirmation that they do not have unlicensed LCD module suppliers;

WHEREAS, Tatung Company and Tatung Company of America, Inc. have provided a Written Confirmation that they do not sell any LCD products that incorporate unlicensed LCD modules containing Fuji Wide View Film; and

WHEREAS, plaintiff Guardian Industries Corp. and defendants Tatung Company and Tatung Company of America, Inc., as indicated by the signature of counsel appearing below, have agreed to the dismissal of Tatung Company and Tatung Company of America, Inc. from this action pursuant to Federal Rule of Civil Procedure 41 and subject to the terms of this Order,

NOW, THEREFORE, it is ordered as follows:

1. In view of the representations made by Tatung Company and Tatung Company of America, Inc. in the Written Confirmation, the claims by Guardian Industries Corp. against Tatung Company and Tatung Company of America, Inc. are hereby dismissed without prejudice with respect to Tatung Company and Tatung Company of America, Inc.

2. Each party shall bear its own costs and attorneys fees attributable to the prosecution and defense of this action against Tatung Company and Tatung Company of America, Inc.

STIPULATED AND AGREED

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*Counsel for Tatung Company and Tatung
Company of America, Inc.*

SO ORDERED this _____ day of _____, 2006.

Judge Sue L. Robinson

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of September, 2006, I electronically filed the foregoing document, **STIPULATED DISMISSAL OF THE TATUNG DEFENDANTS**, with the Clerk of the Court using CM/ECF which will send notification of such filing to the following:

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Additionally, I hereby certify that on the 14th day of September, 2006, the foregoing document was served via email on the following non-registered participants:

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